

AO 245B (CASD) (Rev. 12/11) Judgment in a Criminal Case  
Sheet 1

**FILED**

DEC 22 2011

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

CLERK US DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY  DEPUTY

UNITED STATES OF AMERICA  
v.

**JUDGMENT IN A CRIMINAL CASE**

(For Offenses Committed On or After November 1, 1987)

PAUL D. RODGERS (1)

Case Number: 11CR0615-WQH

ANDREW NIETOR, CJA

Defendant's Attorney

REGISTRATION NO. 16181298

☐

THE DEFENDANT:

☒ pleaded guilty to count(s) 1 OF THE SUPERSEDING INFORMATION☐

was found guilty on count(s) \_\_\_\_\_

after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offense(s):

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Count Number(s)</u>
18 USC 1361	DESTRUCTION OF GOVERNMENT PROPERTY (misdemeanor)	1

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s) \_\_\_\_\_

☒ Count(s) Underlying indictment \_\_\_\_\_ is ☒ are ☐ dismissed on the motion of the United States.

☒ Assessment: \$10.00 - Waived

☒ Fine waived

☐ Forfeiture pursuant to order filed \_\_\_\_\_, included herein.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States Attorney of any material change in the defendant's economic circumstances.

DECEMBER 19, 2011

Date of Imposition of Sentence

  
HON. WILLIAM Q. HAYES

UNITED STATES DISTRICT JUDGE

11CR0615-WQH

DEFENDANT: PAUL D. RODGERS (1)

CASE NUMBER: 11CR0615-WQH

**PROBATION**

The defendant is hereby sentenced to probation for a term of :

**5 YEARS**

The defendant shall not commit another federal, state, or local crime.

*For offenses committed on or after September 13, 1994:*

The defendant shall not illegally possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter as determined by the court. Testing requirements will not exceed submission of more than 4 drug tests per month during the term of supervision, unless otherwise ordered by court.

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
- ☒ The defendant shall cooperate in the collection of a DNA sample from the defendant, pursuant to section 3 of the DNA Analysis Backlog Elimination Act of 2000, pursuant to 18 USC sections 3563(a)(7) and 3583(d).
- ☐ The defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which he or she resides, works, is a student, or was convicted of a qualifying offense. (Check if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution obligation, it is a condition of probation that the defendant pay any such fine or restitution in accordance with the Schedule of Payments sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with the special conditions imposed.

**STANDARD CONDITIONS OF SUPERVISION**

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: PAUL D. RODGERS (1)

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### **SPECIAL CONDITIONS OF SUPERVISION**

1. Defendant shall be monitored while under supervision with location monitoring technology at the discretion of the probation officer, which shall be utilized for the purpose of verifying compliance with any court-imposed condition of supervision. Defendant shall pay all or part of the costs of the location monitoring based on his ability to pay as directed by the court and/or probation officer.
2. Consent to third party disclosure to any employer, potential employer, concerning any restrictions that are imposed by the court.
3. Not use or possess devices which can communicate data via modem or dedicated connection and may not have access to the Internet without prior approval from the court or the probation officer. The offender shall consent to the installation of systems that will enable the probation officer to monitor computer use on any computer owned or controlled by the offender. The offender shall pay for the cost of installation of the computer software.
4. Not loiter within 200 yards of a school, schoolyard, playground, park, amusement center/park, public swimming pool, arcade, daycare center, carnival, recreation venue, library and other places frequented by persons under the age of 18, without prior approval of the probation officer.
5. Not have unsupervised contact with any child under the age of 18, unless in the presence of a supervising adult (who is aware of the defendant's deviant sexual behavior and conviction), and with the prior approval of the probation officer.
6. Defendant shall not have any contact, direct or indirect, either telephonically, visually, verbally or through written material, or through any third-party communication, with Village Elementary or Silver Strand Elementary in Coronado California, without prior approval of the probation officer.
7. Defendant shall not enter or loiter within 200 yards of any military base.
8. Participate in a program of mental health treatment as directed by the probation officer. The Court authorizes the release of the pre-sentence report and available psychological evaluations to the mental health provider, as approved by the probation officer. The defendant may be required to contribute to the costs of services rendered in an amount to be determined by the probation officer, based on the defendant's ability to pay.
9. Defendant shall reside in a Residential Reentry Center for up to 120 days or as directed by the Probation.
10. Not accept or commence employment without prior approval of the probation officer, and employment should be subject to continuous review and assessment by the probation officer.
11. Reside in a residence approved in advance by the probation officer, and any changes in residence shall be pre-approved by the probation officer.
12. Defendant shall abstain from the use of alcohol.
13. The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

AO 245S Judgment in Criminal Case  
Sheet 5 -- Criminal Monetary Penalties

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### RESTITUTION

The defendant shall pay restitution in the amount of \$975.00 unto the United States of America.

This sum shall be paid        immediately.  
  x   as follows:

The defendant shall pay restitution in the amount of \$975.00 Through the Clerk, United States District Court, to the following victim at the rate of \$50.00 per quarter:

U.S. Pre-Trial Services  
101 W Broadway, Suite 505  
San Diego, CA 92101

The Court has determined that the defendant                      have the ability to pay interest. It is ordered that:

       The interest requirement is waived.

       The interest is modified as follows: